

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

Siren Retail Corporation)	
d/b/a Starbucks,)	
)	
Employer,)	
)	Case No. 13-RC-321736
And)	
)	
Workers United/SEIU)	
)	
Petitioner.)	

PETITIONER’S OBJECTIONS

Petitioner Workers United/SEIU hereby submits the following objections to conduct affecting the results of the election held at Starbucks Corporation (“Employer”) in Chicago, Illinois on August 25 and 26, 2023. The results of the election were 90 votes cast for union representation and 119 votes cast against union representation. The Employer’s conduct violated the National Labor Relations Act (“Act”) and adversely affected the outcome of the election.

INTRODUCTION

The Employer’s conduct during the critical period tainted the laboratory conditions in which employees could decide whether to be represented by the Union. The Union lost by just 29 votes out of 242 eligible voters. Thus, any of the significant violations detailed below should be found to have substantially impacted the election. However, even if the Board were to conclude that a single violation was insufficient to impact the results of the election, the totality of the circumstances clearly tainted the environment.

As alleged in the unfair labor practice charge in Case No. 13-CA-324164, the Employer, through its managers, supervisors, and/or agents, engaged in the following conduct prior to the election of August 25, 2023, which conduct destroyed the laboratory conditions necessary to conduct a fair election:

1. Beginning on or about August 7, 2023, the Employer conducted mandatory captive audience meetings and one-on-one meetings with employees about the Union.

2. Since the petition's filing on or about July 14, 2023, the Employer began to grant benefits to workers, including but not limited to credit card tipping, free t-shirts, free coffee, free food, and new and improved equipment at the store, including new speakers, new lockers, and a new breakroom table. The Employer also converted one of the previously publicly accessible restrooms into a private, employee-only restroom.
3. Since August 7, 2023, the Employer threatened and/or impliedly threatened employees with the loss of benefits if they unionized.
4. Since August 7th, 2023, the Employer has coercively informed employees and/or implied that voting for the Union would be futile.
5. Since July 14, 2023, the Employer has maintained a discriminatory no solicitation / distribution policy and has discriminatorily applied the policy by prohibiting and/or removing Union literature and materials posted by employees while allowing all manner of non-Union, non-work-related literature and materials to be posted.
6. Since July 14, 2023, the Employer engaged in a campaign of surveillance of Union activities and/or protected concerted activities.
7. Since on or about August 26, 2023, the Employer has threatened and/or impliedly threatened employees with a loss of benefits by informing employees that they would not be able to deal directly with management if they unionized.
8. Since July 14, 2023, the Employer has solicited grievances from employees, implying that the Union was an unnecessary intermediary.
9. On or about (b) (6), (b) (7)(C), 2023, the Employer retaliated against employee (b) (6), (b) (7)(C) for engaging in protected concerted activities by eliminating (b) (6), (b) (7)(C) job assignments.

REMEDY

Based on the foregoing, and other related acts and conduct, the Petitioner requests that the Board set aside the results of the election held on August 25 and 26, 2023, declare that the Employer conduct tainted the laboratory conditions, impacting the outcome of the election, and issue a bargaining order consistent with the Board's standards set forth in *Cemex Construction Materials Pacific, LLC*, 372 NLRB No. 130 (2023).

Dated: September 1, 2023

/s/ David Lichtman
David Lichtman
Dowd, Bloch, Bennett, Cervone, Auerbach &
Yokich, LLP
8 S. Michigan Ave., 1900
Chicago, IL 60603
312-801-8848
[d lichtman@laboradvocates.com](mailto:dlichtman@laboradvocates.com)

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2023, I served a copy of the foregoing document on the following by sending a true and correct copy via electronic mail (as well as any other method indicated below to:

Angie Cowen Hamada (via e-filing)
Regional Director
National Labor Relations Board, Region 13
Dirksen Federal Bldg
219 S. Dearborn St. # 808
Chicago, IL 60604

Christopher Johlie
cjohlie@littler.com
Attorney for Employer

Jeffrey Dilger,
j.dilger@littler.com
Attorney for Employer

Kathryn Siegel
k.siegel@littler.com
Attorney for Employer

Michael Gotzler
m.gotzler@littler.com
Attorney for Employer

Thomas Grow
t.grow@littler.com
Attorney for Employer

Dated: September 1, 2023

/s/ David P. Lichtman